

Pro Se 7 (Rev. 12/16) Complaint for Employment Discrimination

FILED**UNITED STATES DISTRICT COURT**for the
Eastern District of Virginia

Alexandria Division

2018 MAR 28 P 2:28

CLERK US DISTRICT COURT
ALEXANDRIA, VIRGINIA

Mr. Nicholas Eugene Dixon

Case No.

18-CV-347 AJT/JFA
(to be filled in by the Clerk's Office)

Plaintiff(s)

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

-v-

Xator Corporation

Defendant(s)

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

Jury Trial: (check one) ☐ Yes ☒ No**COMPLAINT FOR EMPLOYMENT DISCRIMINATION****I. The Parties to This Complaint****A. The Plaintiff(s)**

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name	Mr. Nicholas Eugene Dixon
Street Address	4243 Llewellyn Avenue Apartment 405
City and County	Norfolk
State and Zip Code	VA, 23504
Telephone Number	585-967-1881
E-mail Address	nicholasedixon@yahoo.com

B. The Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (if known). Attach additional pages if needed.

Pro Se 7 (Rev. 12/16) Complaint for Employment Discrimination

Defendant No. 1

Name Xator Corporation

Job or Title *(if known)* _____

Street Address _____

1835 Alexander Bell Drive, Suite 210

City and County _____

Reston

State and Zip Code _____

VA, 20191

Telephone Number _____

(703) 638-7107

E-mail Address *(if known)* _____

Defendant No. 2

Name _____

Job or Title *(if known)* _____

Street Address _____

City and County _____

State and Zip Code _____

Telephone Number _____

E-mail Address *(if known)* _____

Defendant No. 3

Name _____

Job or Title *(if known)* _____

Street Address _____

City and County _____

State and Zip Code _____

Telephone Number _____

E-mail Address *(if known)* _____

Defendant No. 4

Name _____

Job or Title *(if known)* _____

Street Address _____

City and County _____

State and Zip Code _____

Telephone Number _____

E-mail Address *(if known)* _____

C. Place of Employment

The address at which I sought employment or was employed by the defendant(s) is

Name	Xator Corporation
Street Address	1835 Alexander Bell Drive, Suite 210
City and County	Reston
State and Zip Code	VA, 20191
Telephone Number	(703) 638-7107

II. Basis for Jurisdiction

This action is brought for discrimination in employment pursuant to *(check all that apply)*:



Title VII of the Civil Rights Act of 1964, as codified, 42 U.S.C. §§ 2000e to 2000e-17 (race, color, gender, religion, national origin).

(Note: In order to bring suit in federal district court under Title VII, you must first obtain a Notice of Right to Sue letter from the Equal Employment Opportunity Commission.)



Age Discrimination in Employment Act of 1967, as codified, 29 U.S.C. §§ 621 to 634.

(Note: In order to bring suit in federal district court under the Age Discrimination in Employment Act, you must first file a charge with the Equal Employment Opportunity Commission.)



Americans with Disabilities Act of 1990, as codified, 42 U.S.C. §§ 12112 to 12117.

(Note: In order to bring suit in federal district court under the Americans with Disabilities Act, you must first obtain a Notice of Right to Sue letter from the Equal Employment Opportunity Commission.)



Other federal law *(specify the federal law)*:



Relevant state law *(specify, if known)*:



Relevant city or county law *(specify, if known)*:

III. Statement of Claim

Write a short and plain statement of the claim. Do not make legal arguments. State as briefly as possible the facts showing that each plaintiff is entitled to the damages or other relief sought. State how each defendant was involved and what each defendant did that caused the plaintiff harm or violated the plaintiff's rights, including the dates and places of that involvement or conduct. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

A. The discriminatory conduct of which I complain in this action includes *(check all that apply)*:

- ☐ Failure to hire me.
- ☒ Termination of my employment.
- ☐ Failure to promote me.
- ☐ Failure to accommodate my disability.
- ☐ Unequal terms and conditions of my employment.
- ☐ Retaliation.
- ☐ Other acts *(specify)*: _____

(Note: Only those grounds raised in the charge filed with the Equal Employment Opportunity Commission can be considered by the federal district court under the federal employment discrimination statutes.)

B. It is my best recollection that the alleged discriminatory acts occurred on date(s) _____

C. I believe that defendant(s) *(check one)*:

- ☐ is/are still committing these acts against me.
- ☒ is/are not still committing these acts against me.

D. Defendant(s) discriminated against me based on my *(check all that apply and explain)*:

- ☒ race Black
- ☐ color _____
- ☐ gender/sex _____
- ☐ religion _____
- ☐ national origin _____
- ☐ age *(year of birth)* _____ *(only when asserting a claim of age discrimination.)*
- ☐ disability or perceived disability *(specify disability)* _____

E. The facts of my case are as follows. Attach additional pages if needed.

Pro Se 5 (Rev. 12/16) Complaint for a Civil Case Alleging Negligence

Xator's actions before and at the time of Mr. Dixon's termination are negligent. Mr. Dixon's damages include, but are not limited to, \$230k for lost wages, \$100k for emotional distress damages, \$310k for financial hard ship or further relief as this court deems just and equitable. See Addendum A to Pro Se 5 (Rev. 12/16) Complaint for a Civil Case Alleging Negligence

III. Statement of Claim

Write a short and plain statement of the claim. Do not make legal arguments. State as briefly as possible the facts showing that each plaintiff is entitled to the damages or other relief sought. State how each defendant was involved and what each defendant did that caused the plaintiff harm or violated the plaintiff's rights, including the dates and places of that involvement or conduct. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

On (date) 05/05/2016, at (place) At a Xator work site,

the defendant(s): (1) performed acts that a person of ordinary prudence in the same or similar circumstances would not have done; or (2) failed to perform acts that a person of ordinary prudence would have done under the same or similar circumstances because *(describe the acts or failures to act and why they were negligent)*

See Addendum A to Pro Se 5 (Rev. 12/16) Complaint for a Civil Case Alleging Negligence

The acts or omissions caused or contributed to the cause of the plaintiff's injuries by *(explain)*

See Addendum A to Pro Se 5 (Rev. 12/16) Complaint for a Civil Case Alleging Negligence

IV. Relief

State briefly and precisely what damages or other relief the plaintiff asks the court to order. Do not make legal arguments. Include any basis for claiming that the wrongs alleged are continuing at the present time. Include the amounts of any actual damages claimed for the acts alleged and the basis for these amounts. Include any punitive or exemplary damages claimed, the amounts, and the reasons you claim you are entitled to actual or punitive money damages.

Xator Corporation did not follow its own Human Resource policies and negligently lead Mr. Dixon to not follow the certain policies that lead to Mr. Dixon's termination of employment and Xator Corporation disregard for Mr. Dixon's complaints established unfair treatment, stress, damage, hardship for Mr. Dixon. Mr. Dixon's damages include, but are not limited to, \$230k for lost wages, \$100k for emotional distress damages, \$310k for financial hard ship or further relief as this court deems just and equitable.

Pro Se 7 (Rev. 12/16) Complaint for Employment Discrimination

Mr. Dixon began employment with Xator Corporation, a company headquartered in Reston, Virginia, in November 2015 as a Field Service Representative ("FSR"). His responsibilities included providing maintenance for audiovisual systems, and working on fiber optic equipment. Mr. Dixon was assigned to work in Afghanistan. However, prior to beginning his job responsibilities in Afghanistan, Mr. Dixon was required to complete training and attend meetings in a number of different locations.

See attached Addendum A to Pro Se 7 (Rev. 12/16) Complaint for Employment Discrimination:
Section III Statement of Claim, E

(Note: As additional support for the facts of your claim, you may attach to this complaint a copy of your charge filed with the Equal Employment Opportunity Commission, or the charge filed with the relevant state or city human rights division.)

IV. Exhaustion of Federal Administrative Remedies

- A. It is my best recollection that I filed a charge with the Equal Employment Opportunity Commission or my Equal Employment Opportunity counselor regarding the defendant's alleged discriminatory conduct on *(date)*

February 24, 2017

- B. The Equal Employment Opportunity Commission *(check one)*:

☐

has not issued a Notice of Right to Sue letter.

☒

issued a Notice of Right to Sue letter, which I received on *(date)* 12/28/2017 .

(Note: Attach a copy of the Notice of Right to Sue letter from the Equal Employment Opportunity Commission to this complaint.)

- C. Only litigants alleging age discrimination must answer this question.

Since filing my charge of age discrimination with the Equal Employment Opportunity Commission regarding the defendant's alleged discriminatory conduct *(check one)*:

☐

60 days or more have elapsed.

☐

less than 60 days have elapsed.

V. Relief

State briefly and precisely what damages or other relief the plaintiff asks the court to order. Do not make legal arguments. Include any basis for claiming that the wrongs alleged are continuing at the present time. Include the amounts of any actual damages claimed for the acts alleged and the basis for these amounts. Include any punitive or exemplary damages claimed, the amounts, and the reasons you claim you are entitled to actual or punitive money damages.

Pro Se 7 (Rev. 12/16) Complaint for Employment Discrimination

Xator's actions of unlawful discrimination violate Title VII of the Civil Rights Act of 1964. As a result, Xator is liable to Mr. Dixon for damages. Mr. Dixon's damages include, but are not limited to, \$230,000 for lost wages, \$100,000 for emotional distress damages, other and further relief as this court deems just and equitable.

VI. Certification and Closing

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

A. For Parties Without an Attorney

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: 03/28/2018

Signature of Plaintiff

Printed Name of Plaintiff


Nicholas Eugene Dixon

B. For Attorneys

Date of signing: _____

Signature of Attorney

Printed Name of Attorney

Bar Number

Name of Law Firm

Street Address

State and Zip Code

Telephone Number

E-mail Address

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA
Alexandria DIVISION

Nicholas Eugene Dixon

Plaintiff(s),

v.

Civil Action Number: _____

Xator Corporation

Defendant(s).

LOCAL RULE 83.1(M) CERTIFICATION

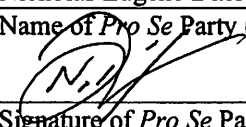
I declare under penalty of perjury that:

Pro Se 7 (Rev. 12/16)

No attorney has prepared, or assisted in the preparation of Complaint for Employment Discrimination
(Title of Document)

Nicholas Eugene Dixon

Name of *Pro Se* Party (Print or Type)


Signature of *Pro Se* Party

Executed on: March 27, 2018 (Date)

OR

The following attorney(s) prepared or assisted me in preparation of _____
(Title of Document)

(Name of Attorney)

(Address of Attorney)

(Telephone Number of Attorney)

Prepared, or assisted in the preparation of, this document

(Name of *Pro Se* Party (Print or Type)

Signature of *Pro Se* Party

Executed on: _____ (Date)